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OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.

ATTORNEYS AT LAW

FOURTH FLOOR
1755 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VIRGINIA 22202 U.S.A.

(703) 413-3000

(703) 413-2220 FACSIMILE

OBLONPAT@OBLON.COM

WWW.OBLON.COM

PATENT, TRADEMARK AND COPYRIGHT LAW
AND RELATED FEDERAL AND ITC LITIGATION



DOCKET NO: 0154-2811-2

ATTN: APPLICATION BRANCH

**THIS IS A RESPONSE TO A
NOTICE TO FILE MISSING PARTS OF APPLICATION**

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Re: Inventor: Vincent BERGER ET AL.
Serial No.: 09/328,391
Filed: June 9, 1999
For: QUANTUM WELL DETECTOR WITH LAYER
FOR THE STORAGE OF PHOTO-EXCITED
ELECTRONS

SIR:

Attached hereto for filing are the following papers:

**- Notice to File Missing Parts
- Filing of Declaration/Declaration**

Our check in the amount of \$.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

**OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.**


Marvin J. Spivak
Attorney of Record
Registration No. 24,913

Robert F. Gnuse
Registration Number 27,295

NORMAN F. OBLON
MARVIN J. SPIVAK
C. IRVIN McCLELLAND
GREGORY J. MAIER
ARTHUR I. NEUSTADT
RICHARD D. KELLY
JAMES D. HAMILTON
ECKHARD H. KUESTERS
ROBERT T. POULS
DAVID J. KERA
CHARLES L. GHOLZ
VINCENT J. SUNDERDICK*
WILLIAM E. BEAUMONT
ROBERT F. GNUSE
JEAN-PAUL LAVALLEYE, PH.D.
JEFFREY H. KAUFMAN
BRIAN D. ANDERSON
ROBERTA S. BREW
STEPHEN G. BAXTER, PH.D.
ROBERT W. HAHN, PH.D.
RICHARD L. TREANOR, PH.D.
STEVEN P. WEHRHORN
JOHN T. GOOLKASIAN*
RICHARD L. CHINN, PH.D.
STEVEN E. UPMAN
CARL E. SCHLIER
P. JAY HINES
JAMES J. KULBASKI
RICHARD A. NEIFELD, PH.D.
J. DEREK MASON, PH.D.
SURINDER SACHAR
JONATHAN HUDIS
CHRISTINA M. GADIANO
JEFFREY B. MCINTYRE*
PAUL E. RAUCH, PH.D.
WILLIAM T. ENOS*
MICHAEL E. McCABE, JR.*

GERALD J. MOSSINGHOFF
MILTON STERMAN
SAMUEL H. BLECH*
JOHN O. TRESANSKY*
ALTON D. ROLLINS
JAMES R. BOLER*
HARRIS A. PITLUCK*
RAYMOND F. CARDILLO, JR.
JORDAN S. WEINSTEIN
MASAYASU MORI*
FRANK J. WEST*
BRADLEY D. LYTHE
KATHLEEN COONEY-PORTER*
ANDREW M. OLLIS
MARGO LIVESAY, PH.D.*
MICHAEL A. GUILIANA*
CORWIN P. UMBACH, PH.D.
W. TODD BAKER*
DAVID D'ZURILLA
JOSEPH A. SCAFFETTA, JR.
CARLOS R. VILLAMAR
ROBERT C. MATTISON
MANDY M. PETROCELLI
EDWIN D. GARLEPP
FREDERICK D. VASTINE, PH.D.*
MICHAEL R. CASEY, PH.D.*
JOHN K. PIKE, PH.D.*
GEORGE F. LESMES*
JAMES J. KELLY, PH.D.*
DAVID A. BILODEAU*
STAMATIOS MYLONAKIS, PH.D.*
PHILIPPE J.C. SIGNORE, PH.D.*
KEVIN A. NORDBERG*

* BAR MEMBERSHIP OTHER
THAN VIRGINIA

* JAPANESE PATENT ATTORNEY

* REGISTERED PATENT AGENT

Docket No. 0154-2811-2



#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Vincent BERGER ET AL.

ATTN: APPLICATION PROCESSING
DIVISION

SERIAL NO.: 09/328,391

FILED: June 9, 1999

FOR: QUANTUM WELL DETECTOR WITH
LAYER FOR THE STORAGE OF PHOTO-
EXCITED ELECTRONS

FILING OF DECLARATION UNDER 37 CFR 1.53(F)

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

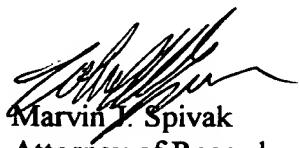
Responsive to the notification dated July 13, 1999, and in accordance with the provisions of 37 CFR 1.53(f), Applicants submit herewith a Rule 63 Declaration.

The required fee was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P. C.

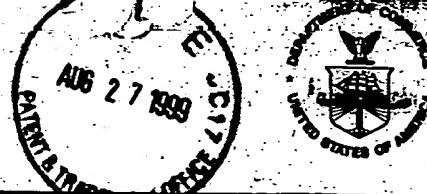


Marvin J. Spivak
Attorney of Record
Registration No. 24,913
Robert F. Gnuse
Registration Number 27,295

Fourth Floor
1755 Jefferson Davis Highway
Arlington, Virginia, 22202
(703) 413-3000/ Fax No. (703) 413-2220
(OSMMN 1/97)
MJS:ctp

UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231T-14
7-20-99

APPLICATION NUMBER	RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/328,391	06/09/99	BERGER	V 0154-2811-2

0242/0713

MARVIN J. SPIVAK

OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT
FOURTH FLOOR
1755 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202

NOT ASSIGNED

2811

DATE MAILED:

07/13/99

NOTICE TO FILE MISSING PARTS OF APPLICATION

Filing Date Granted

Decl /Fax Due 9-13-99

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a

small entity (statement filed) non-small entity is \$ \$130.00.

1. The statutory basic filing fee is:

missing
 insufficient

Applicant must submit \$ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

2. The following additional claims fees are due:

\$ for total claims over 20.

\$ for independent claims over 3.

\$ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:

is missing or unsigned.
 does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration.

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

7. Your filing receipt was mailed in error because your check was returned without payment.

8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

BEST AVAILABLE COPY

Customer Service Center

Initial Patent Examination Division (703) 308-1202